



Docket No.: 12810-00141-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mariette ANDERSSON et al.

Conf. No.: 5032

Application No.: 10/519947

Group Art Unit: Not Yet Assigned

Filed: December 29, 2004

Examiner: Not Yet Assigned

For: USE OF AHAS MUTANT GENES AS
SELECTION MARKER IN POTATO
TRANSFORMATION

**STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 CFR §§1.821 THROUGH 1.825**

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

- ☒ I hereby state, in accordance with the requirements of **37 C.F.R. §1.821(f)**, that the information recorded in computer readable form is identical to the written Sequence Listing submitted herewith.
- ☒ I hereby state that the submission filed in accordance with **37 C.F.R. 1.821(g)** does not include new matter.
- ☐ I hereby state that the submission filed in accordance with **37 C.F.R. §1.821(h)** does not include new matter or go beyond the disclosure in the international application as filed.
- ☐ I hereby state that the amendments, made in accordance with **37 C.F.R. §1.825(a)**, included in the substitute sheet(s) of the Sequence Listing are supported in the application, as filed, in pages 1- __ of the Sequence Listing. I hereby state that the substitute sheets of the Sequence Listing do not include new matter.
- ☐ I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 C.F.R. §1.825(b)**, is the same as the amended Sequence Listing.

☐ I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. §1.825(d), contains identical data to that originally filed on .

Respectfully submitted,

By Roberte Makowski

Roberte M. D. Makowski

Registration No.: 55,421

CONNOLLY BOVE LODGE & HUTZ LLP

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Attorney for Applicants



Application No. (if known): 10/519947

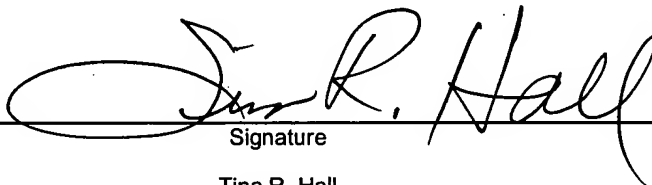
Attorney Docket No.: 12810-00141-US

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on September 20, 2005
Date



Signature

Tina R. Hall

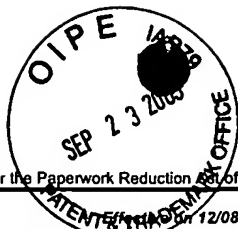
Typed or printed name of person signing Certificate

Registration Number, if applicable

(302) 658-9141
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Response to Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures and Preliminary Amendment (8 pages)
Statement to Support Filing and Submission in Accordance with 37 CFR 1.821 – 1.825 (2 pages)
Sequence Listing (9 pages)
Diskette containing Sequence Listing
Copy of Notification to Comply With Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures (2 pages)
Petition for One Month Extension of Time Under 37 CFR 1.136(a) (1 page)
Transmittal of POA (1 page)
Power of Attorney (1 page)
Statement Under 37 CFR 3.73(b) (1 page)
Copy of Assignment and Recordation Cover Sheet (3 pages)
Fee transmittal (1 page)
Postcard
Charge \$120 to deposit account 03-2775



PTO/SB/17 (12-04v2)

Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL For FY 2005		Complete if Known		
		Application Number	10/519947	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	December 29, 2004	
		First Named Inventor	Mariette ANDERSSON	
		Examiner Name	Not yet available	
TOTAL AMOUNT OF PAYMENT		Art Unit	Not yet available	
(\$)		120.00	Attorney Docket No.	12810-00141-US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 03-2775 Deposit Account Name: Connolly Bove Lodge & Hutz LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
19	- 20 =	x	=			
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
3	- 3 =	x	=			

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
	- 100 =	/50	(round up to a whole number) x	=

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1251 Extension for response within first month 120.00

SUBMITTED BY			
Signature	<i>Roberte Makowski</i>	Registration No. (Attorney/Agent)	55,421
Name (Print/Type)	Roberte M. D. Makowski, Ph.D.	Telephone	(302) 658-9141
		Date	September 20, 2005

JUL 19 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/519,947	FIRST NAMED APPLICANT Mariette Andersson	ATTY. DOCKET NO. 53262-20099.00
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INTERNATIONAL APPLICATION NO.

PCT/EP03/07085

I.A. FILING DATE

07/03/2003

PRIORITY DATE

07/09/2002

25227

MORRISON & FOERSTER LLP
 1650 TYSONS BOULEVARD
 SUITE 300
 MCLEAN, VA 22102

DOCKETED

REMINDER:

DUE DATE:

FINAL DUE DATE:

Seq Data Due
7/24/05
8/24/05
1/24/06

CONFIRMATION NO. 5032

371 FORMALITIES LETTER



OC000000016367075

Date Mailed: 06/24/2005

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$960** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$960** for a Large Entity:

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- Total additional claim fee(s) for this application is **\$ 960**
 - \$600 for 12 total claims over 20.
 - \$360 for multiple dependent claim surcharge.

00000100 03-775 10-19347
 300.00 DS
 360.00 DS

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/519,947	PCT/EP03/07085	53262-20099.00